

Attachment to Independent Case Review Report
for CDRU # 171 Case File # 95-268800.

Material Examiners Malone (RO)

Remarks:

INDEPENDENT CASE REVIEW REPORT

Independent Review conducted by: STEVE ROBERTSON

Area(s) of Expertise: HAIR AND FIBERS

Review commenced at: 9:30A (Time), 5 11 199 (Date)

File #: 95-268800

Laboratory #(s): 50910017

50919024

51003033

Examiner(s) & Symbols

	Reviewed	Not Reviewed		Reviewed	Not Reviewed
<u>VM</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>QS</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>RU</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>WX</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>RQ</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>RF</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Materials Reviewed

Trial testimony transcript(s) of: MICHAEL MALONE

Testimony Date(s): 3-13-86 Pages: 550-577

Laboratory Report(s):

Laboratory Number: 50919024 Date: 11-14-85

Laboratory Number: 50910017 Date: _____

Laboratory Number: 51003033 Date: _____

Examiner Bench Notes of: RQ AND UNKNOWN TECHNICIAN

Laboratory Number: 50919024

Laboratory Number: 50910017

Laboratory Number: _____

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Initials: SRK

Was any other material reviewed? Yes No

If yes, please identify and/or describe the material: WORK SHEET #50919024, LETTER
FROM SUBMITTING AGENCY DATED 9-6-85

Results of Review

File #: 95-268800

Item or Specimen # Reviewed: Q3-Q5, Q7-Q11,
K3

Review of Laboratory Report(s) and Bench Notes:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

- 1) Did the examiner perform the appropriate tests in a scientifically acceptable manner, based on the methods, protocols, and analytic techniques available at the time of the original examination(s)?
 Yes No Unable to Determine
- 2) Are the examination results set forth in the laboratory report(s) supported and adequately documented in the bench notes?
 Yes No Unable to Determine

Review of Testimony:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

Transcript not available.

- 3) Testimony consistent with the laboratory report(s)? Yes No Unable to Determine
- 4) Testimony consistent with the bench notes? Yes No Unable to Determine
- 5) Testimony within bounds of examiner's expertise? Yes No Unable to Determine

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Initials EMA

95-268800

Comments

(Set forth by above question #, if applicable.
Use "Additional Comments" Sheet, if needed)

#1. THERE IS INSUFFICIENT DOCUMENTATION TO DETERMINE IF THE FIBER COMPARISON WAS DONE IN A SCIENTIFICALLY ACCEPTABLE MANNER.

#2. DOCUMENTATION OF THE EXAMINATION RESULTS ARE NOT ADEQUATE. NOTES ARE NOT DATED. THE EXAMINER USES ABBREVIATIONS THAT CANNOT BE INTERPRETED BY THIS REVIEWER. THE TESTS PERFORMED ARE NOT DOCUMENTED. SPECTRAL CHARTS ARE NOT DATED OR LABELLED.

THE REPORT SAYS BROWN CAUCASIAN HAIR WERE RECOVERED FROM Q7-Q11. THE TECHNICIAN'S NOTES DO NOT MENTION THE PRESENCE OR RECOVERY OF ANY HAIR ON THESE ITEMS (EXCEPT FOR Q8) AND THE EXAMINER'S NOTES CONTAIN ABSOLUTELY

Review completed at: 12:30P (Time), 5/19/99 (Date)

Total time spent conducting review (to nearest 1/4 hour): 3 HOURS

I hereby certify that I conducted this review in an independent, unbiased manner and that the results of my review are fully documented on this report consisting of a total of 4 pages.

Steve Roberts
(Signature)

5-19-99
(Date)

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Initials SRK

Additional Comments
(Set forth by question #, if applicable)

File #: 95-268800

NO REFERENCE TO HAIR BEING PRESENT OR EXAMINED.
#4. EXAMINER TESTIFIED THAT "Q8 HAD A GREEN CARPET
FIBER" (p 569 #22). IT IS NOT POSSIBLE TO IDENTIFY A
MODACRYLIC FIBER WITH A DOG BONE CROSS-SECTION, SUCH AS Q8, AS
A CARPET FIBER, BASED UPON THESE CHARACTERISTICS. IT APPEARS
THE EXAMINER CONCLUDES THE Q8 FIBER IS A CARPET FIBER
ONLY BECAUSE HE DEEMS IT A MATCH TO THE K3 CARPET.

THERE IS A CONCERN THAT THE FIBER RECOVERED FROM Q8 MAY BE
A RESULT OF A SECONDARY TRANSFER NOT RELATED TO THE CRIME.